

MANDATE

18-1452

Grassel v. N.Y. State Dep't of Education

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 16th day of December, two thousand nineteen.

PRESENT:

DENNIS JACOBS,
SUSAN L. CARNEY,
MICHAEL H. PARK,
Circuit Judges.

Ronald Grassel,

Plaintiff-Appellant,

v.

No. 18-1452

New York State Department of Education
(State Education Department/NYSED),
Office of School Personnel Review and
Accountability of the State Education
Department (OSPRA), The Commissioner
of Education, New York City Department
of Education (DOE), New York City
Chancellor of Education,

Defendants-Appellees,

Unknown City Agent, of the Department of
Education of the City of New York,

Defendant.

MANDATE ISSUED ON 01/07/2020

FOR PLAINTIFF-APPELLANT:

Ronald Grassel, pro se, Woodside, NY.

FOR DEFENDANTS-APPELLEES:

No appearances.*

Appeal from a judgment of the United States District Court for the Eastern District of New York (Chen, J.).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the judgment of the district court is **AFFIRMED**.

In 2017, Ronald Grassel, a former New York City public school teacher, appeared pro se and sued the New York State and New York City Departments of Education under various federal, state, and city statutes, alleging discrimination and retaliation. The District Court sua sponte dismissed his amended complaint for failure to state a claim and res judicata. This appeal followed. We assume the parties' familiarity with the underlying facts, the procedural history of the case, and the issues on appeal, to which we refer only as needed to explain our decision to affirm the District Court's judgment.

We conclude that the District Court did not err in determining that Grassel failed to state claims for discrimination and retaliation, and on that basis dismissing his amended complaint sua sponte.

We have considered all of Grassel's remaining arguments and conclude that they are without merit. Accordingly, we **AFFIRM** the judgment of the district court.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 

 

* Not having been served with process, Defendants made no appearance.